

MAR 31 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LUIS ALBERTO AMARO-MORALES,

Defendant - Appellant.

No. 08-10274

D.C. No. 2:07-CR-01270-NVW-1

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Arizona
Neil V. Wake, District Judge, Presiding

Submitted March 18, 2009^{**}

Before: LEAVY, HAWKINS, and TASHIMA, Circuit Judges.

Luis Alberto Amaro-Morales appeals from the 27-month sentence imposed following his guilty-plea conviction for illegal re-entry after deportation, in

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

violation of 8 U.S.C. § 1326(a). We have jurisdiction pursuant to 28 U.S.C. § 1291, and we dismiss.

Amaro-Morales challenges his sentence on multiple grounds. We conclude that the appeal waiver contained in his plea agreement is valid and enforceable and precludes our review of his contentions. *See United States v. Nunez*, 223 F.3d 956, 958 (9th Cir. 2000); *see also Almendarez-Torres v. United States*, 523 U.S. 224 (1998); *United States v. Lopez-Armenta*, 400 F.3d 1173, 1176-77 (9th Cir. 2005).

DISMISSED.